

## REMARKS

Reconsideration of the application is respectfully requested. An Office action dated September 29, 2004 is presently pending in the application. Claims 1, 15, 17 and 18 are amended, and claims 17, 22-24 have been cancelled; therefore, Claims 1-16, and 18-21 are pending in the application.

### The Objections to the Drawings

The drawings were objected to as failing to comply with 37 C.F.R. §1.84(p) (5) because they do not include the reference signs 56 and 58. Applicants submit herewith replacement sheets for FIGS. 2 and 3 with the reference numerals 56 and 58 added to each figure. Applicants submit that the amendments to the drawings do not constitute new matter, but instead make the drawings consistent with the description in the specification.

### The Rejections of the Claims

Claims 15-16 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Number 6,397,835 to *Liang*. Claims 1-4, 7-11, 14, 17-21, and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Liang* in view of U.S. Patent Number 2,170,735 to *Spikes*. The remaining claims were rejected as being unpatentable over *Liang* in view of *Spikes* and further in view of U.S. Patent Number 1,935,845 to *Hader*.

Applicants submit that the references do not read upon or make obvious amended Claims 1 and 15. Claim 1, as amended, is directed to a catalytic heater comprising a combustion chamber and a reflector connected to the catalytic heater and removable between a first position and a second position. The reflector is arranged in the second position along one side of the combustion chamber so as to direct heat emanating from the combustion chamber towards an opposite side of the combustion chamber and in a direction that is more horizontal than vertical.

The Office action cites *Spikes* as disclosing a repositionable reflector 55. Applicants respectfully disagree with this interpretation of *Spikes*. *Spikes* discloses an oil-burning air heater having a housing 10 in which is mounted a number of burners 31. Heat from the burners 31 extends up through a truncated tapered cover 19 having an elliptical opening 22 at a center of the cover 19. A pan-like hood 55 (the part referred to as a “reflector” in the Office action) is mounted above the cover 19. A page 2, column 2, line 10, the hood 55 is described as having a universal tilting arrangement whereby air discharged from the central elliptical opening 22 of the cover may be directed in different lateral directions from the unit. Thus, in other words, as applicants understand the invention described in *Spikes*, the hood 55 may be arranged in a number of different ways relative to the cover 19, so that heated gases emanating from the casing 10 may be directed in a desired direction. Thus, by tilting the hood 55, the heated gases are more apt to flow out of the air heater in the direction where the hood is highest. Directing convection heat in this manner is not the equivalent of, and does not make obvious, the use of a reflector. As is known, convection involves the movement of heated air, whereas reflecting involves the reflection of a heated surface. Thus, *Spikes* does not make obvious the use of a reflector as is set forth in Claim 1.

Moreover, the hood in *Spikes*, if considered to be a reflector (which it is not), would reflect all heat downward back into the unit. The elliptical opening 22 limits movements of the hood so that the hood can only be tilted in an angle relative to the top of the unit and does not appear to permit the hood to be tilted at an angle sufficient so that the hood, if it were acting as a reflector (which the applicants submit it does not, and there is no teaching within the reference that it could do so), then it would not reflect such heat in a direction that is more vertically downward, instead of horizontally, as is set forth in amended Claim 1.

For at least the foregoing reasons, Claim 1 is not anticipated by or made obvious in view of the cited references.

Claim 15 is directed to a tabletop heater having a heat shield, a reflector, and a handle on the reflector. Nothing in the references suggests such an arrangement. In fact, the heat shield in the previous claims was not even mentioned in the Office action. Moreover, the references cited by the Office action do not disclose or make obvious the use of such a heat shield. For at least this reason, Claim 15 should be allowed.

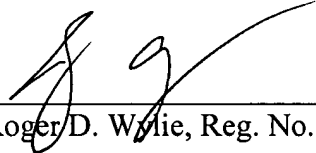
For the sake of clarity, the independent claims of the application are discussed in this Amendment. Applicants submit that the independent claims are allowable, and therefore the dependent claims are allowable at least because they are dependent upon allowed claims. Nevertheless, Applicants submit that the dependent claims further define subject matter not shown or made obvious by the prior art.

### CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the pending claims define patentable subject matter, and that the application is in good and proper condition for allowance. Such action is respectfully solicited.

If the foregoing does not result in a Notice of Allowance in the application, Applicants earnestly solicit the Examiner to call the undersigned at 206-521-5984.

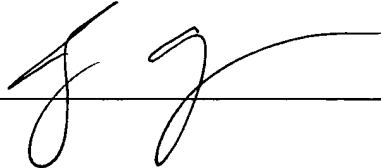
Respectfully submitted,

  
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### CERTIFICATE OF MAILING

I hereby certify that this Amendment A, Transmittal and Replacement Sheets - Figs 2 & 3 (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop \_\_\_\_\_, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: 12/29/2004

  
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